

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

In re AMERICAN AIRLINES/JETBLUE
ANTITRUST LITIGATION

This Document Relates To:

*Katrina Berger v. American Airlines Group Inc.
and JetBlue Airways Corp.*, No. 1:22-cv-07374
(AMD)(TAM)

*Toni Guerin v. American Airlines Group Inc. and
JetBlue Airways Corp.*, No. 1:22-cv-07423
(AMD)(TAM)

*Dianne Buehler v. American Airlines Group Inc.
and JetBlue Airways Corp.*, No. 1:23-cv-04089
(AMD)(TAM)

Lead Case No. 1:22-cv-07374 (AMD) (TAM)

(Consolidated with Case No. 1:22-CV-07423)

NOTICE OF MOTION

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, upon the annexed Declaration of Marguerite M. Sullivan, dated September 21, 2023, and exhibits thereto, and the accompanying Memorandum of Law, the undersigned hereby move this Court on behalf of Defendants American Airlines Group Inc. and JetBlue Airways Corp. before the Honorable Ann M. Donnelly in Courtroom 4G North of the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, for an order: (1) dismissing the Third Consolidated Amended Class Action Complaint with prejudice and without leave to amend under Federal Rule of Civil Procedure 12(b)(6), or in the alternative, (2) striking Plaintiffs' class action allegation pursuant to Federal Rule of Civil Procedure 23(d).

Dated: September 21, 2023

Respectfully submitted,

/s/ Marguerite M. Sullivan

Marguerite M. Sullivan (*pro hac vice*)

Allyson M. Maltas (*pro hac vice*)

Seung Wan Paik (*pro hac vice*)

Jesse A. Vella (*pro hac vice*)

Kimon Triantafyllou (*pro hac vice*)

Latham & Watkins LLP

555 Eleventh Street, NW, Suite 1000

Washington, D.C. 20004-1304

Telephone: (202) 637-2200

Email: marguerite.sullivan@lw.com

allyson.maltas@lw.com

andrew.paik@lw.com

jesse.vella@lw.com

kimon.triantafyllou@lw.com

Attorneys for Defendant

American Airlines Group Inc.

/s/ Richard Schwed

Richard Schwed

Matthew L. Craner

Jessica K. Delbaum

Shearman & Sterling LLP

599 Lexington Avenue

New York, NY 10022

Telephone: (212) 848-5445

Email: rschwed@shearman.com

matthew.craner@shearman.com

jessica.delbaum@shearman.com

Brian Hauser (*pro hac vice*)

Shearman & Sterling LLP

401 9th Street, NW

Washington, DC 20004

Telephone: (202) 508-8005

Email: brian.hauser@shearman.com

*Attorneys for Defendant JetBlue Airways
Corporation*